

UNAPPROVED

**VIRGINIA BOARD OF DENTISTRY
REGULATORY-LEGISLATIVE COMMITTEE MINUTES**

June 29, 2018

Department of Health Professions

Henrico, VA 23233

CALL TO ORDER: Dr. Augustus A. Petticolas, Jr. called the meeting of the Regulatory-Legislative Committee to order at 10:04AM. With 8 Board members present, a quorum was established.

MEMBERS PRESENT: Augustus A. Petticolas, Jr., D.D.S., Chair
Tonya A. Parris-Wilkins, D.D.S.
Tammy C. Ridout, R.D.H.
Sandra J. Catchings, D.D.S.
James D. Watkins, D.D.S.

OTHER BOARD Patricia Bonwell, R.D.H., Ph.D.
MEMBERS PRESENT: John M. Alexander, D.D.S.
Carol Russek, JD

STAFF PRESENT: Sandra K. Reen, Executive Director
Sheila Beard, Executive Assistant
Elaine Yeatts, DHP Policy Analyst

PUBLIC COMMENT: Emily Bonovitch, VDHA – Thanked the Board for reviewing Guidance Documents “Practice of Dental Hygienist under Remote Supervision”, and “Administration of Topical Fluorides”, to address how they align with current Code and regulatory provisions. She asked that the Remote Supervision Guidance Document, be amended to remove the age restriction in #7(g) and #8.

Terry Dickenson, D.D.S., Executive Director, VDA – Supports the position of the VDHA regarding removing the age restriction for the application of fluoride.

Michelle McGregor, VCU Dental Hygienist – Supports allowing dentists to do the A1C finger prick screening. Requested dental hygienists be included since students are trained for this.

Terry Dickenson, D.D.S., Executive Director, VDA – Said the VDA also supports allowing dentists and dental hygienists to do A1C screening.

APPROVAL OF MINUTES:

Ms. Ridout moved to accept the minutes of March 8, 2018 as written. The motion was seconded and passed.

LEGISLATION AND REGULATORY

Ms. Yeatts informed the Committee that all regulatory actions are still pending in the Governor's office. She added that she expects the 60-day comment period on the proposed regulations to replace the emergency regulations for opioid prescribing will take place between 7/9/2018 and 9/7/2018.

COMMITTEE DISCUSSIONS:

A1C Test and Diabetes -

At the June 8, 2018 Board meeting, Dr. Alexander referred this matter to the Regulatory- Legislative Committee for review to consider if legislative action is required to allow dentists and dental hygienists to perform skin pricks. Ms. Reen advised that in prior discussion with Board Council, she was advised that the Code definition of dentistry would require amendment to include A1C screening. The Committee decided to ask Board Council to reconsider his advice given the current research on A1C and how it relates to the profession of dentistry in making decisions about treatment and sedation.

Guidance Documents -

The committee discussed the following Guidance Documents:

- **60-12 Administration of Topical Oral Fluorides by Dental Hygienists Under Standards adopted by the Virginia Department of Health –** This Guidance document has been identified for the committee to consider revision, re-adoption, or withdrawal. Ms. Ridout made the motion to recommend withdrawing guidance document 60-12. The motion was seconded and passed.
- **60-13 Practice of a Dental Hygienist under Remote Supervision-** The Committee discussed the difference in provisions for dental hygienists to possess and administer topical fluorides, topical anesthetics, antimicrobial agents or other Schedule VI topical drug while practicing under remote supervision to and while practicing under general supervision. Ms. Yeatts advised that legislative action was needed to address the Committee's interest in having the provisions for general supervision apply to remote supervision. She added that to have this change included in the Board's legislative proposal a decision on this could not wait for Board action at the September meeting. She said DHP Director Dr. Brown could make this change at the request of the Committee. A motion was made by Ms. Ridout to ask Dr. Brown to amend the Board's legislative proposal to add "or remote" supervision to §54.1-3408(J) and to add the Schedule VI topical drugs addressed in §54.1-3408 (J) to §54.1-2722 F(g). The motion was seconded and passed. Ms. Ridout made a motion to recommend adoption of guidance document 60-13 as proposed. The motion was seconded and passed.

- **60-17 Recovery of Disciplinary Costs** – In response to Dr. Brown’s concern about the Board’s policy on disciplinary cost recovery, Dr. Alexander asked the Committee to consider the options of eliminating or reducing such costs or reducing the costs for dental hygienist and to make a recommendation to the Board. A motion was made by Dr. Watkins to recommend dismissing the costs for first time offenders and to continue recovering costs for repeat offenders; additionally, to recommend maintaining the maximum cost assessment of \$5,000.00 for dentists and establishing the maximum cost assessment at \$1,250.00 for dental hygienists. The motion was seconded and passed.
- **60-19 Dental Laboratory Subcontractor Work Order Form** – Ms. Reen informed the Board after review of this document, she recommends to re-adopt the form. There is no license number associated with the subcontractor form; therefore, the form presented is the correct form for use. Ms. Ridout made a motion to recommend that the Board re-adopt the guidance as is. The motion was seconded and passed.

ADJOURNMENT:

With all business concluded, Dr. Petticolas adjourned the meeting at 11:58AM.

Augustus A. Petticolas, Jr., D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date